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APPLICATION NO.	FI	LING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,447	10/671,447 09/29/2003		Nobuyuki Katsuda	0425-1084P	6696
2292	7590	08/29/2005		EXAMINER	
BIRCH STI		KOLASCH & BIR	ROSENBERG, LAURA B		
FALLS CHURCH, VA 22040-0747				ART UNIT	PAPER NUMBER
				3616	

DATE MAILED: 08/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)					
		10/671,447	KATSUDA, NOBUYUKI					
	Office Action Summary	Examiner	Art Unit					
		Laura B. Rosenberg	3616					
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply								
THE   - External after   - If the   - If NO   - Failure   Any (	ORTENED STATUTORY PERIOD FOR REP MAILING DATE OF THIS COMMUNICATION nsions of time may be available under the provisions of 37 CFR 1 SIX (6) MONTHS from the mailing date of this communication, period for reply specified above is less than thirty (30) days, a repression of the period for reply is specified above, the maximum statutory perions to reply within the set or extended period for reply will, by staturely received by the Office later than three months after the mailed patent term adjustment. See 37 CFR 1.704(b).	.136(a). In no event, however, may a reply be timely within the statutory minimum of thirty (30) days d will apply and will expire SIX (6) MONTHS from the, cause the application to become ABANDONE	nely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133).					
Status								
1) 🗌	Responsive to communication(s) filed on	·						
2a) <u></u> □	This action is <b>FINAL</b> . 2b)⊠ Th	is action is non-final.						
3)	Since this application is in condition for allowance except for formal matters, prosecution as to the ments is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
Disposition of Claims								
_	Claim(s) <u>1-40</u> is/are pending in the application 4a) Of the above claim(s) is/are withdred claim(s) is/are allowed.  Claim(s) is/are rejected.  Claim(s) is/are objected to.  Claim(s) <u>1-40</u> are subject to restriction and/or	awn from consideration.						
Applicat	ion Papers							
9) 🗌	The specification is objected to by the Examin	ner.						
10)⊠	0)⊠ The drawing(s) filed on <u>29 March 2004</u> is/are: a)⊠ accepted or b)⊡ objected to by the Examiner.							
	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
11)	Replacement drawing sheet(s) including the correct The oath or declaration is objected to by the							
Priority (	under 35 U.S.C. § 119							
12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a)  All b)  Some * c)  None of:  1.  Certified copies of the priority documents have been received.  2.  Certified copies of the priority documents have been received in Application No  3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.								
Attachmen	• •	· · · · · · · · · · · · · · · · · · ·						
2) Notice 3) Infor	ce of References Cited (PTO-892) ce of Draftsperson's Patent Drawing Review (PTO-948) mation Disclosure Statement(s) (PTO-1449 or PTO/SB/0 er No(s)/Mail Date 3/29/04.	4) Interview Summary Paper No(s)/Mail D  5) Notice of Informal F  6) Other:						

## **DETAILED ACTION**

## Election/Restrictions

1. This application contains claims directed to the following patentably distinct species of the claimed invention:

Species I: Figures 1-9, drawn to an inflator including a specific diffuser, rupture plate, igniter, and flow path configuration at each axial end;

Species II: Figures 10-12, drawn to an inflator including a casing that defines specific flow paths from the inflator into the air bag(s).

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claim is generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

2. A telephone call was made to Terrell Birch on 26 August 2005 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura B. Rosenberg whose telephone number is (571) 272-6674. The examiner can normally be reached on Monday-Friday 7:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on (571) 272-6669. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Laura B Rosenberg
Patent Examiner
Art Unit 3616

LBR

PAUL N. DICKSON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600